UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,457	01/11/2002	John David Russell	50277-1732	8504

42425   7590   05/22/2009
HICKMAN PALERMO TRUONG & BECKER/ORACLE
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110-1083

EXAMINER
PITARO, RYAN F

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
05/22/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/044,457	RUSSELL, JOHN DAVID
	Examiner	Art Unit	
	RYAN F. PITARO	2174	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>18 February 2009</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,3-13 and 27-38</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1,3-13 and 27-38</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1,3-13,27-38 have been examined.

Response to Amendment

2.   This communication is in response to Amendment I filed 2/18/2009. Claims 1,3-

13 have been amended. Claims 14-16 have been cancelled, and claims 27-38 have

been added as new. This action is non-final.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1,3-8,10-11,13,28-33,35-36, and 38 are rejected under 35 U.S.C. 103(a)

as being unpatentable by Shah ("Shah", US 6,154,740) in view of Tran et al ("Tran", US

6,253,367)

As per independent claim 1, Shah discloses a computer implemented method of depicting a plurality of items and how said plurality of items satisfy multiple criteria, the method comprising the computer-implemented steps of: generating a display of a list of visual indicators in a particular order (Column 1 lines 33-45, sort list based on other sort parameters), wherein the particular order indicates how a plurality of items satisfy a one or more first criteria (Column 1 lines 33-45, a first level sort by name); detecting input indicating the selection of a one or more second criteria (Column 1 lines 33-45, second sort, Column 3 lines 13-29, marks are selected from the group...); in response to detecting said input, determining how said plurality of items satisfy the one or more second criteria (Column 3 lines 55-63, determining); and while retaining list of visual indicators in said particular order within said display, displaying a visual indication of how said plurality of items satisfy the second criteria (Column 1 lines 33-45, many levels of sorting).

Shah fails to teach a browser receiving a self-contained page; which does not have to interact over a network with a server.

However, Tran teaches a browser receiving a self-contained page, and does not have to interact over a network with a server (Column 6 lines 19-34).

Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Martin with the method of Tran. Since both the sorting method of Shah and a self-contained browser applet of Tran were both known in the prior art and both references use client-side application software, combining the prior art

elements according to the known methods would have yielded predictable results. The combination would have yielded the claimed method.

As per claim 3, which is dependent on claim 2, Shah-Tran discloses a method wherein the step of the browser receiving the self-contained page includes the browser receiving the self-contained page over the network from the server (Tran, Column 6 lines 19-34).

As per claim 4, which is dependent on claim 2, Shah-Tran discloses a method wherein the step of the browser receiving the self-contained page includes said browser causing said self-contained page to be read from removable computer-media (Tran, Column 3 lines 25-30 and Column 4 lines 42-50).

As per claim 5, which is dependent on claim 1, Shah-Tran discloses a method wherein the step of displaying a visual indication includes displaying one or more other visual indicators visually associated with a subset of items that satisfy said one or more second criteria (Shah, Column 3 lines 13-29, the sort points may be delineated by being displayed in a different typeface or may have color or style attributes).

As per claim 6, which is dependent on claim 1, Shah-Tran discloses a method wherein the step of displaying a visual indication includes altering the visual appearance of one or more visual indicators from said list of visual indicators (Shah, Column 3 lines

13-29, the sort points may be delineated by being displayed in a different typeface or may have color or style attributes).

As per claim 7, which is dependent on claim 1, Shah-Tran discloses a method wherein said one or more first criteria is based on an alphabetic order of names associated with said plurality of items, and the particular order of the list of visual indicators indicates the alphabetic order of the name of the items (Shah, Column 1 lines 33-45, sort by name).

As per claim 8, which is dependent on claim 1, Shah-Tran discloses a method wherein the step of detecting input indicating the selection of a one or more second criteria includes detecting input selecting a particular category of a plurality of categories (Shah, Column 3 lines 24-29, all records falling within a particular category); and the step of displaying a visual indication of how said plurality of items satisfy a one or more second criteria includes displaying a visual indication of which items of said plurality of items belong to said particular category (Shah, Column 3 lines 24-29, may be denoted with a particular character).

As per claim 10, which is dependent on claim 1, Shah-Tran teaches detecting input indicating the selection of one or more third criteria (Shah, Column 1 lines 33-45, third sort); and while retaining said list or visual indicators in said particular order within said display displaying a visual indication of how said plurality of items satisfy said one

or more third criteria wherein one or more third criteria is different from said one or more

second criteria (Shah, Column 3 lines 13-29, using marks to display appropriate sort

fields).

Claim 11 is similar in scope to that of claim 1, and is therefore rejected under

similar rationale. In addition claim 11 teaches a third and fourth page element. Shah-

Tran teaches third and fourth page elements that enable the browser to determine, in

reponse to the browser receiving the user input, how the plurality of items satisfy the

one or more criteria (Shah, Column 1 lines 33-44, third level and many levels).

As per claim 13, which is dependent on claim 11, Shah-Tran discloses a method

including performing an examination of contents of said plurality of items to determine

which of said plurality of elements satisfy a particular criteria of said plurality of criteria

(Shah, Column 3 lines 55-63, scanning determining); wherein the step of generating

third page elements is based on said examination of the contents (Shah, Column 3 lines

55-63, associating and displaying with appropriate marks).

Claim 27 is similar in scope to that of claim 1, and is therefore rejected under

similar rationale. In addition claim 27 adds a storage media. Shah-Tran teaches a

storage media storing instructions (Tran, Column 3 lines 25-30).

Claim 28 is similar in scope to that of claim 3, and is therefore rejected under similar rationale.

Claim 29 is similar in scope to that of claim 4, and is therefore rejected under similar rationale.

Claim 30 is similar in scope to that of claim 5, and is therefore rejected under similar rationale.

Claim 31 is similar in scope to that of claim 6, and is therefore rejected under similar rationale.

Claim 32 is similar in scope to that of claim 7, and is therefore rejected under similar rationale.

Claim 33 is similar in scope to that of claim 8, and is therefore rejected under similar rationale.

Claim 35 is similar in scope to that of claim 10, and is therefore rejected under similar rationale.

Claim 36 is similar in scope to that of claim 11, and is therefore rejected under similar rationale.

Claim 38 is similar in scope to that of claim 13, and is therefore rejected under similar rationale.

5.   Claims 9 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable by

Shah ("Shah", US 6,154,740) in view of Tran et al ("Tran", US 6,253,367) in view of

Hollander et al ("Hollander", US 2002/0023004).

        As per claim 9, which is dependent on claim 8, Shah-Tran fails to distinctly point

out a list box including categories even though Shah uses categories. However,

Hollander discloses a method wherein said step of detecting input selecting a particular

category includes detecting that a user has selected said particular category as a

selection in a list box listing said plurality of categories as selections ([80] sort order

drop down list). Therefore it would have been obvious to an artisan at the time of the

invention to combine the teaching of Hollander with the method of Shah-Tran.

Motivation to do so would have been to provide an easy and organized way to choose a

sort category.

        Claim 34 is similar in scope to that of claim 9, and is therefore rejected under

similar rationale.

6.   Claims 12 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable by

Shah ("Shah", US 6,154,740) in view of Tran et al ("Tran", US 6,253,367).

As per claim 12, which is dependent on claim 11, Shah-Tran discloses the steps further including issuing a system that stores information about said plurality of items (Shah, Column 3 lines 55-63, scanning), wherein said command requests data that may be used to determine which set of items of said plurality of items satisfy a first criterion of said plurality of criteria (Shah, Column 3 lines 55-63, determining), receiving results of the command from the storage system (Shah, Column 3 lines 55-63, associating); and wherein the step of generating third page elements is based on an examination of the results (Shah, Column 3 lines 55-63, displaying).

Shah-Tran fails to distinctly point out a using a database system and a query.

However, database systems are notoriously well-known in the art, and it would have been obvious to one skilled in the art to combine the current teaching of databases with the method of Shah-Tran.

Motivation to do so would have been to reduce data redundancy and improve data security, both which are often associated advantages of databases.

Claim 37 is similar in scope to that of claim 12, and is therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments with respect to claims 1,3-13,27-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN F. PITARO whose telephone number is (571)272-4071. The examiner can normally be reached on 9:00am - 5:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan F Pitaro/

Examiner, Art Unit 2174